

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN**

In re: HABER, PEDRO ANDRES

§ Case No. 11-60144-MBM

§

§

§

Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED
AND APPLICATION TO BE DISCHARGED (TDR)**

Timothy J. Miller, chapter 7 trustee, submits this Final Account,
Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: \$391,665.00
(without deducting any secured claims)

Assets Exempt: \$174,567.73

Total Distribution to Claimants: \$21,452.41

Claims Discharged

Without Payment: \$151,964.11

Total Expenses of Administration: \$3,547.59

3) Total gross receipts of \$ 25,000.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$25,000.00 from the liquidation of the property of the estate, which was distributed as follows:

| | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--|---------------------|---------------------|---------------------|--------------------|
| SECURED CLAIMS (from Exhibit 3) | \$451,912.06 | \$0.00 | \$0.00 | \$0.00 |
| PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4) | 0.00 | 3,547.59 | 3,547.59 | 3,547.59 |
| PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5) | 0.00 | 0.00 | 0.00 | 0.00 |
| PRIORITY UNSECURED CLAIMS (from Exhibit 6) | 0.00 | 0.00 | 0.00 | 0.00 |
| GENERAL UNSECURED CLAIMS (from Exhibit 7) | 140,246.95 | 128,317.78 | 128,317.78 | 21,452.41 |
| TOTAL DISBURSEMENTS | \$592,159.01 | \$131,865.37 | \$131,865.37 | \$25,000.00 |

4) This case was originally filed under Chapter 7 on July 26, 2011.
The case was pending for 19 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 02/21/2013 By: /s/Timothy J. Miller
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 –GROSS RECEIPTS

| DESCRIPTION | UNIFORM TRAN. CODE ¹ | \$ AMOUNT RECEIVED |
|---|------------------------------------|-----------------------|
| Delta Piltos Savings Plan 401k Fidelity | 1129-000 | 25,000.00 |
| TOTAL GROSS RECEIPTS | | \$25,000.00 |

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 –FUNDS PAID TO DEBTOR & THIRD PARTIES

| PAYEE | DESCRIPTION | UNIFORM TRAN. CODE | \$ AMOUNT PAID |
|---|-------------|-----------------------|-------------------|
| | None | | |
| TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES | | | \$0.00 |

EXHIBIT 3 –SECURED CLAIMS

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6D) | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|-----------------------------|------------------------|--------------------------|--|--------------------|-------------------|----------------|
| NOTFILED | Nationstar Mortgage Ll | 4110-000 | 405,994.06 | N/A | N/A | 0.00 |
| NOTFILED | Nationstar Mortgage Ll | 4110-000 | 0.00 | N/A | N/A | 0.00 |
| NOTFILED | Wings Financial Cu | 4110-000 | 25,228.00 | N/A | N/A | 0.00 |
| NOTFILED | GE Money Bank | 4110-000 | 11,200.00 | N/A | N/A | 0.00 |
| NOTFILED | wings financial CU | 4210-000 | 9,490.00 | N/A | N/A | 0.00 |
| TOTAL SECURED CLAIMS | | | \$451,912.06 | \$0.00 | \$0.00 | \$0.00 |

EXHIBIT 4 –CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

| PAYEE | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--|--------------------------|---------------------|--------------------|-------------------|----------------|
| Timothy J. Miller | 2100-000 | N/A | 3,250.00 | 3,250.00 | 3,250.00 |
| Timothy J. Miller | 2200-000 | N/A | 95.00 | 95.00 | 95.00 |
| The Bank of New York Mellon | 2600-000 | N/A | 42.69 | 42.69 | 42.69 |
| The Bank of New York Mellon | 2600-000 | N/A | 56.26 | 56.26 | 56.26 |
| The Bank of New York Mellon | 2600-000 | N/A | 49.32 | 49.32 | 49.32 |
| The Bank of New York Mellon | 2600-000 | N/A | 54.32 | 54.32 | 54.32 |
| TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES | | N/A | \$3,547.59 | \$3,547.59 | \$3,547.59 |

EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

| PAYEE | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--|--------------------------|---------------------|--------------------|-------------------|----------------|
| None | | | | | |
| TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES | | N/A | \$0.00 | \$0.00 | \$0.00 |

EXHIBIT 6 –PRIORITY UNSECURED CLAIMS

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6E) | CLAIMS ASSERTED (from Proofs of Claim) | CLAIMS ALLOWED | CLAIMS PAID |
|--|----------|--------------------------|--|---|-------------------|----------------|
| None | | | | | | |
| TOTAL PRIORITY UNSECURED CLAIMS | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

EXHIBIT 7 –GENERAL UNSECURED CLAIMS

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6F) | CLAIMS ASSERTED (from Proofs of Claim) | CLAIMS ALLOWED | CLAIMS PAID |
|--------------|--|--------------------------|--|---|-------------------|----------------|
| 1 | Wings Financial Cu | 7100-000 | N/A | 9,500.75 | 9,500.75 | 1,588.36 |
| 2 | PYOD, LLC its successors and assigns as assignee | 7100-000 | N/A | 19,360.62 | 19,360.62 | 3,236.75 |
| 3 | Capital One, N.A. | 7100-000 | N/A | 4,398.89 | 4,398.89 | 735.41 |

| | | | | | | |
|---------------------------------------|-------------------------------|----------|---------------------|---------------------|---------------------|--------------------|
| 4 | Swan Fuel Service, Inc. | 7100-000 | 799.21 | 799.21 | 799.21 | 133.61 |
| 5 | Saf | 7100-000 | 94,349.00 | 94,258.31 | 94,258.31 | 15,758.28 |
| NOTFILED | Hsbc Frnrw Hsbc Card Services | 7100-000 | 4,373.00 | N/A | N/A | 0.00 |
| NOTFILED | Citi | 7100-000 | 19,646.00 | N/A | N/A | 0.00 |
| NOTFILED | Hsbc Frnrw | 7100-000 | unknown | N/A | N/A | 0.00 |
| NOTFILED | Sears/cbsd | 7100-000 | 3,765.00 | N/A | N/A | 0.00 |
| NOTFILED | Shumard, Barbara H | 7100-000 | 991.01 | N/A | N/A | 0.00 |
| NOTFILED | Sears/cbsd | 7100-000 | 71.00 | N/A | N/A | 0.00 |
| NOTFILED | Chase | 7100-000 | 11,557.00 | N/A | N/A | 0.00 |
| NOTFILED | American Express | 7100-000 | 3,207.00 | N/A | N/A | 0.00 |
| NOTFILED | Bank Of America | 7100-000 | 488.73 | N/A | N/A | 0.00 |
| NOTFILED | American Express | 7100-000 | unknown | N/A | N/A | 0.00 |
| NOTFILED | Brown, Susan | 7100-000 | 1,000.00 | N/A | N/A | 0.00 |
| TOTAL GENERAL UNSECURED CLAIMS | | | \$140,246.95 | \$128,317.78 | \$128,317.78 | \$21,452.41 |

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 11-60144-MBM

Trustee: (420470) Timothy J. Miller

Case Name: HABER, PEDRO ANDRES

Filed (f) or Converted (c): 07/26/11 (f)

§341(a) Meeting Date: 08/31/11

Period Ending: 02/21/13

Claims Bar Date: 07/02/12

| 1 | | 2 | 3 | 4 | 5 | 6 |
|---|---|------------------------------------|---|---|---|---|
| Asset Description (Scheduled And Unscheduled (u) Property) | | Petition/ Unscheduled Values | Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs) | Property Abandoned OA=\$554(a) DA=\$554(c) | Sale/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
| Ref. # | | | | | | |
| 1 | 1844 Westbourne Court, Chelsea MI 48118 tenancy Orig. Asset Memo: Imported from original petition Doc# 1 (See Footnote) | 339,000.00 | 0.00 | OA | 0.00 | FA |
| 2 | Wings FCU Checking Orig. Asset Memo: Imported from original petition Doc# 1 | 400.00 | 0.00 | DA | 0.00 | FA |
| 3 | Wings FCU Savings Orig. Asset Memo: Imported from original petition Doc# 1 | 14.00 | 0.00 | DA | 0.00 | FA |
| 4 | TCF Bank Checking Orig. Asset Memo: Imported from original petition Doc# 1 | 2,000.00 | 0.00 | DA | 0.00 | FA |
| 5 | TCF Bank Savings Orig. Asset Memo: Imported from original petition Doc# 1 | 50.00 | 0.00 | DA | 0.00 | FA |
| 6 | Lake Trust CU Checking Orig. Asset Memo: Imported from original petition Doc# 1 | 25.00 | 0.00 | DA | 0.00 | FA |
| 7 | Lake Trust CU Savings Orig. Asset Memo: Imported from original petition Doc# 1 | 25.00 | 0.00 | DA | 0.00 | FA |
| 8 | Security Deposit with Landlord Orig. Asset Memo: Imported from original petition Doc# 1 | 1,450.00 | 0.00 | DA | 0.00 | FA |
| 9 | Household furniture, cleanign supplies, food inv Orig. Asset Memo: Imported from original petition Doc# 1 | 2,000.00 | 0.00 | DA | 0.00 | FA |
| 10 | Misc books and pictures of some sentimental valu Orig. Asset Memo: Imported from original petition Doc# 1 | 200.00 | 0.00 | DA | 0.00 | FA |
| 11 | Misc clothing Orig. Asset Memo: Imported from original petition Doc# 1 | 1,000.00 | 0.00 | DA | 0.00 | FA |
| 12 | Gold ring | 200.00 | 0.00 | DA | 0.00 | FA |

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Case Name: HABER, PEDRO ANDRES

Filed (f) or Converted (c): 07/26/11 (f)

§341(a) Meeting Date: 08/31/11

Period Ending: 02/21/13

Claims Bar Date: 07/02/12

| 1 | | 2 | 3 | 4 | 5 | 6 |
|---|--|------------------------------------|---|--|---|---|
| Asset Description (Scheduled And Unscheduled (u) Property) | | Petition/ Unscheduled Values | Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs) | Property <u>Abandoned</u> OA=\$554(a) DA=\$554(c) | Sale/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
| Ref. # | | | | | | |
| | Orig. Asset Memo: Imported from original petition Doc# 1 | | | | | |
| 13 | Gold necklace with cross With debtor Orig. Asset Memo: Imported from original petition Doc# 1 | 250.00 | 0.00 | DA | 0.00 | FA |
| 14 | Walther PPK .38 cal hangun Orig. Asset Memo: Imported from original petition Doc# 1 | 200.00 | 0.00 | DA | 0.00 | FA |
| 15 | Sig-Sauer P220 .40 cal handgun Orig. Asset Memo: Imported from original petition Doc# 1 | 300.00 | 0.00 | DA | 0.00 | FA |
| 16 | Remington 870 12 gauge shotgun Orig. Asset Memo: Imported from original petition Doc# 1 | 200.00 | 0.00 | DA | 0.00 | FA |
| 17 | Remington 30-30 Orig. Asset Memo: Imported from original petition Doc# 1 | 200.00 | 0.00 | DA | 0.00 | FA |
| 18 | Golf clubs Orig. Asset Memo: Imported from original petition Doc# 1 | 100.00 | 0.00 | DA | 0.00 | FA |
| 19 | Term life insurance through work Orig. Asset Memo: Imported from original petition Doc# 1 | 0.00 | 0.00 | DA | 0.00 | FA |
| 20 | Auto insurance Orig. Asset Memo: Imported from original petition Doc# 1 | 0.00 | 0.00 | DA | 0.00 | FA |
| 21 | Health insurance Orig. Asset Memo: Imported from original petition Doc# 1 | 0.00 | 0.00 | DA | 0.00 | FA |
| 22 | Delta Pilots DC Plan - 401k Fidelity amended exemption 1/19/12 (See Footnote) | 54,920.05 | 15,000.00 | | 0.00 | FA |
| 23 | Delta Pilots Savings Plan 401k Fidelity amended exemption 1/19/12 amended 5/14/12 (See Footnote) | 139,731.68 | 25,000.00 | | 25,000.00 | FA |

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 11-60144-MBM
Case Name: HABER, PEDRO ANDRES

Trustee: (420470) Timothy J. Miller
Filed (f) or Converted (c): 07/26/11 (f)
§341(a) Meeting Date: 08/31/11
Claims Bar Date: 07/02/12

Period Ending: 02/21/13

| 1 | 2 | 3 | 4 | 5 | 6 |
|--|------------------------------------|---|---|---|---|
| Asset Description (Scheduled And Unscheduled (u) Property) Ref. # | Petition/ Unscheduled Values | Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs) | Property Abandoned OA=\$554(a) DA=\$554(c) | Sale/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
| 24 Potential 2011 Federal Tax Refund Orig. Asset Memo: Imported from original petition Doc# 1 | Unknown | 0.00 | DA | 0.00 | FA |
| 25 2011 Potential State Tax Refund Orig. Asset Memo: Imported from original petition Doc# 1 | Unknown | 0.00 | DA | 0.00 | FA |
| 26 2011 Nissan Frontier Excellent condition 10k mil 1amended 5/14/12 | 21,900.00 | 0.00 | DA | 0.00 | FA |
| 27 2009 Yamaha XV19CYS 1k miles Excellent condition Orig. Asset Memo: Imported from original petition Doc# 1 | 10,400.00 | 0.00 | DA | 0.00 | FA |
| 28 2004 Honda Pilot 180k miles Fair condition Orig. Asset Memo: Imported from original petition Doc# 1 | 9,500.00 | 250.00 | DA | 0.00 | FA |
| 29 2001 M and M Trailer Orig. Asset Memo: Imported from original petition Doc# 1 | 500.00 | 50.00 | DA | 0.00 | FA |
| 30 2001 Polaris 4 wheeler Fair condition Orig. Asset Memo: Imported from original petition Doc# 1 | 1,750.00 | 150.00 | DA | 0.00 | FA |
| 31 Domestic dog - no show value Orig. Asset Memo: Imported from original petition Doc# 1 | 1.00 | 0.00 | DA | 0.00 | FA |
| 31 Assets Totals (Excluding unknown values) | \$586,316.73 | \$40,450.00 | | \$25,000.00 | \$0.00 |

RE PROP# 1 p/o 3/26/12
 RE PROP# 22 See asset #23.
 RE PROP# 23 Per compromise.p/0 4/27/12

Major Activities Affecting Case Closing:

Claims have been reviewed. The case is ready to be closed.

Form 1

Individual Estate Property Record and Report

Asset Cases

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Trustee: (420470) Timothy J. Miller

Case Name: HABER, PEDRO ANDRES

Filed (f) or Converted (c): 07/26/11 (f)

§341(a) Meeting Date: 08/31/11

Period Ending: 02/21/13

Claims Bar Date: 07/02/12

| 1 | 2 | 3 | 4 | 5 | 6 |
|---|------------------------------------|---|--|---|---|
| Asset Description (Scheduled And Unscheduled (u) Property) | Petition/ Unscheduled Values | Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs) | Property <u>Abandoned</u> OA=§554(a) DA=§554(c) | Sale/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
| Ref. # | | | | | |

Initial Projected Date Of Final Report (TFR): August 1, 2012

Current Projected Date Of Final Report (TFR): August 3, 2012 (Actual)

February 21, 2013

Date

/s/ Timothy J. Miller

Timothy J. Miller

Form 2

Cash Receipts And Disbursements Record

Case Number: 11-60144-MBM
Case Name: HABER, PEDRO ANDRES

Trustee: Timothy J. Miller (420470)
Bank Name: Rabobank, N.A.
Account: ****799965 - Checking Account
Blanket Bond: \$2,000,000.00 (per case limit)
Separate Bond: N/A

Taxpayer ID #: **-***2091
Period Ending: 02/21/13

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|---|----------------------|-------------------------|-------------------------------------|--------|----------------|---------------------|-----------------------------|
| Trans. Date | {Ref #} / Check # | Paid To / Received From | Description of Transaction | T-Code | Receipts \$ | Disbursements \$ | Checking Account Balance |
| (No Transactions on File for this Period) | | | ACCOUNT TOTALS | | 0.00 | 0.00 | \$0.00 |
| | | | Less: Bank Transfers | | 0.00 | 0.00 | |
| | | | Subtotal | | 0.00 | 0.00 | |
| | | | Less: Payments to Debtors | | | 0.00 | |
| | | | NET Receipts / Disbursements | | \$0.00 | \$0.00 | |

Form 2

Cash Receipts And Disbursements Record

Case Number: 11-60144-MBM
Case Name: HABER, PEDRO ANDRES

Trustee: Timothy J. Miller (420470)
Bank Name: The Bank of New York Mellon
Account: 9200-*****01-65 - Checking Account
Blanket Bond: \$2,000,000.00 (per case limit)
Separate Bond: N/A

Taxpayer ID #: **-***2091
Period Ending: 02/21/13

| 1 Trans. Date | 2 {Ref #} / Check # | 3 Paid To / Received From | 4 Description of Transaction | T-Code | 5 Receipts \$ | 6 Disbursements \$ | 7 Checking Account Balance |
|---------------------|---------------------------|--|---|----------|---------------------|--------------------------|----------------------------------|
| 04/02/12 | {23} | Law Office of Guy Conti | Compromise p/o 4/27/12 | 1129-000 | 25,000.00 | | 25,000.00 |
| 04/30/12 | | The Bank of New York Mellon | Bank and Technology Services Fee | 2600-000 | | 42.69 | 24,957.31 |
| 05/31/12 | | The Bank of New York Mellon | Bank and Technology Services Fee | 2600-000 | | 56.26 | 24,901.05 |
| 06/29/12 | | The Bank of New York Mellon | Bank and Technology Services Fee | 2600-000 | | 49.32 | 24,851.73 |
| 07/31/12 | | The Bank of New York Mellon | Bank and Technology Services Fee | 2600-000 | | 54.32 | 24,797.41 |
| 11/07/12 | 1001 | Timothy J. Miller | Dividend paid 100.00% on \$3,250.00, Trustee Compensation; Reference: | 2100-000 | | 3,250.00 | 21,547.41 |
| 11/07/12 | 1002 | Timothy J. Miller | Dividend paid 100.00% on \$95.00, Trustee Expenses; Reference: | 2200-000 | | 95.00 | 21,452.41 |
| 11/07/12 | 1003 | Wings Financial Cu | Dividend paid 16.71% on \$9,500.75; Claim# 1; Filed: \$9,500.75; Reference: | 7100-000 | | 1,588.36 | 19,864.05 |
| 11/07/12 | 1004 | PYOD, LLC its successors and assigns as assignee | Dividend paid 16.71% on \$19,360.62; Claim# 2; Filed: \$19,360.62; Reference: | 7100-000 | | 3,236.75 | 16,627.30 |
| 11/07/12 | 1005 | Capital One, N.A. | Dividend paid 16.71% on \$4,398.89; Claim# 3; Filed: \$4,398.89; Reference: | 7100-000 | | 735.41 | 15,891.89 |
| 11/07/12 | 1006 | Swan Fuel Service, Inc. | Dividend paid 16.71% on \$799.21; Claim# 4; Filed: \$799.21; Reference: | 7100-000 | | 133.61 | 15,758.28 |
| 11/07/12 | 1007 | Saf | Dividend paid 16.71% on \$94,258.31; Claim# 5; Filed: \$94,258.31; Reference: | 7100-000 | | 15,758.28 | 0.00 |

| | | | |
|-------------------------------------|--------------------|--------------------|---------------|
| ACCOUNT TOTALS | 25,000.00 | 25,000.00 | \$0.00 |
| Less: Bank Transfers | 0.00 | 0.00 | |
| Subtotal | 25,000.00 | 25,000.00 | |
| Less: Payments to Debtors | | 0.00 | |
| NET Receipts / Disbursements | \$25,000.00 | \$25,000.00 | |

| | Net Receipts | Net Disbursements | Account Balances |
|-----------------------------|--------------------|----------------------|---------------------|
| TOTAL - ALL ACCOUNTS | | | |
| Checking # ****799965 | 0.00 | 0.00 | 0.00 |
| Checking # 9200-*****01-65 | 25,000.00 | 25,000.00 | 0.00 |
| | \$25,000.00 | \$25,000.00 | \$0.00 |

February 21, 2013

Date

/s/ Timothy J. Miller

Timothy J. Miller